D.B. CIVIL SPECIAL APPEAL (W) NO. 324/2005
(Miss Mohini Vs. State of Rajasthan and Ors.)

9.4.2007

HON'BLE MR JUSTICE RAJESH BALIA
HON'BLE MR JUSTICE BHANWAROO KHAN

Mr. P.S. Bhati, for the appellant.
Mr. L.R. Upadhyaya, Dy. Govt. Advocate.

Having heard learned counsel for the parties, we do not find any merit in this appeal.

The appellant at the time of making application was to be considered against the vacancies of Other Backward Class (OBC) alongwith certificate that he is member of OBC. The petitioner-appellant could not make a break because he found that against the available vacancies persons higher and more meritorious in General Category have been given appointments. He wanted to change his category from OBC to General. That is to say he desired his candidature to be transferred from OBC to General and his case may be considered in General category. That has not been allowed.

We are of the opinion that under the reservation policy since fixed percentage have been assigned to all different classes of

persons with clear stipulation that every person shall be considered only against vacancy of the categories to which he belongs and against which he has put his candidature and that option having been exercised by the petitioner himself at the time of making application, this prayer for transposition has rightly been rejected.

The appeal is, accordingly, dismissed.

(BHANWAROO KHAN),J. (RAJESH BALIA),J.

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